

WILKINSBURG BOROUGH COUNCIL MEETING

Work Session

May 16, 2012

CALL TO ORDER

President Cohn called the meeting to order at approximately 6:34 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkesburg, PA.

ROLL CALL

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Ms. Moore, Ms. Goodman, Ms. Macklin and President Cohn. Also present were Marla P. Marcinko, Borough Manager. Ms. McCarthy-Johnson and Mayor John Thompson were absent. A quorum was established.

PLEDGE OF ALLEGIANCE

Following the pledge of allegiance, a moment of silence was observed to remember victims of violent crime.

SPECIAL PRESENTATIONS

1. Chief Darryl Jones, Pittsburgh Bureau of Fire – Annual Report on Operations.

Chief Jones commented that we have recently completed our first year under the intergovernmental cooperation agreement for contracted fire protection services. Chief Jones stated that the Wilkesburg firefighters have been a tremendous asset to the City and that the Department is making progress. A lot of training has been completed and there is a new truck in the Borough's fire station.

Ms. Macklin commented on the incident at Gable Ridge and the issue with a fire alarm at the Borough building. In the case of Gable Ridge, residents were evacuated prior to the arrival of the Fire Department. Chief Jones commented on proper procedures for the evacuation of multi-story buildings. Ms. Macklin commented that the Fire Department did not have a key to the elevator. She asked if someone from the Fire Department would speak to those residents regarding proper evacuation procedures. Chief Jones stated they would send a representative and commented on the importance of fire prevention and education. Ms. Marcinko responded to a question regarding the issue with the fire alarm at the Borough building. She stated that training was performed for Pittsburgh Bureau of Fire on disarming and response.

Ms. Evans questioned how dangerous structures are marked. Chief Jones responded that he is not in favor of placarding buildings and believes it creates a target. He commented

**Borough of Wilkinsburg
Council Work Session
May 16, 2012**

about his practice of following a risk benefit analysis. Ms. Marcinko or Mr. Gilliland will provide Chief Jones with a copy of the Abandoned Structures Inventory for the Borough.

President Cohn inquired if there is additional work to be done for improvement. Chief Jones stated that the transition was extremely smooth and couldn't have been better. President Cohn requested a quarterly report from the PBF to at least keep the lines of communication open. Ms. Moore commented on the tremendous response by Pittsburgh Bureau of Fire. Ms. Macklin requested that Pittsburgh Bureau of Fire participate in the 125th Anniversary festivities.

Ms. Evans requested Dave Gilliland provide an update to Council on the proposed Street Paving Project. Mr. Gilliland reported that bids were received and Victor Paving was the lowest responsible bidder with a bid of \$999,906.26. He reported that Pitt Street was proposed for paving and it has since been determined that half of the street is in the City of Pittsburgh and the other half is in the Borough. The City was approached about contributing to the paving costs in order to pave the entire street. Since the City has their own paving operation, they offered to pave the entire street and to charge the Borough for its half. The alternative is that they do not intend to pave the street this year and the Borough could pave only its half. President Cohn suggested that Pitt Street be kept in the contract and removed by change order if needed. Ms. Macklin inquired whether the City had been asked to submit a bid for our paving project. President Cohn and Dave Gilliland responded that they did not think the City offered those services to outside communities. Mr. Gilliland commented on the streets he recommended be deleted from the contract in order to get the total cost closer to the original budget. With those reductions, the contract price would be \$844,825.66 which includes paving only half of Pitt Street. Ms. Moore inquired as to what was proposed for Laketon Road between Winton and Graham Boulevard. Mr. Gilliland advised Council that the County has a contract for slurry seal onto which the Borough may piggyback. This would result in a significant savings for not only paving costs but also for engineering and advertising. Ms. Evans commented that recommendations for CD 39 have been received from the engineer. She expressed concerns regarding several of the demolition sites which have responsible owners. Mr. Gilliland provided the list on May 2, 2012. Ms. Macklin commented that there has been no discussion on these projects. President Cohn commented that sometimes there is not time for full discussion. Ms. Macklin commented that there are no longer Committee meetings being held. President Cohn clarified that the work sessions are committee meetings and that Council has more meetings now than ever before. Ms. Ervin commented that, with regard to demolition sites, the Borough can always delete sites but cannot add to what is submitted on the pre-application.

2. Debby Grass, Delta Development Group – Update on status of EIP Phase II.

Ms. Grass provided background on the EIP Phase II project. Implementation for key recommendations from the EIP Phase I includes five areas – Police Department policies and accreditation, Code Enforcement land management system and processes and procedures, information technology, sustainability which focuses on vacant and blighted properties and the zoning ordinance update. John Daley, police consultant, stated he began working with the Chief and staff at the beginning of the year. The goal is to bring department policies and procedures into compliance with (133) State standards. A draft of the policies and procedures has been developed and disks were distributed to the officers for feedback. The manual will then be distributed to Council for approval. Following the adoption of the policies and procedures, a mock assessment will be performed. Mr. Daley stated he appreciated the cooperation afforded by the Chief and staff. Ms. Macklin commented on matters related to domestic violence and whether those types of policies are contained in the manual. Mr. Daley responded that those policies are included. Ms. Ervin inquired whether a review of the physical plant is included as part of the accreditation process. Mr. Daley responded yes as to health, safety and welfare. President Cohn asked if Council will see a redlined version in order to see how significant the changes are, mostly for Council's edification. Of the 133 standards, only 20% were met under the current policies and procedures manual. Chief Coleman commented that the State does not mandate accreditation. Ms. Moore commented that police officers work in deplorable conditions.

Ms. McCarthy-Johnson arrived at 7:16 p.m.

Ms. Macklin asked if the physical plant could hinder receiving accreditation. Mr. Daley advised that it could. Ms. Macklin commented that we have had bids for some of the improvements but no action has been taken and questioned how quickly an assessment of issues could be performed and if there is someone to provide assistance. Mr. Daley stated that there are no physical plant requirements for officers, only for prisoners from a health and safety standpoint. Ms. Grass commented that someone from the PA Chief's Association may be able to provide help.

Dave Soboslay, Delta Development Group, informed Council that they are working with the Planning Commission on the revised zoning ordinance and are meeting monthly. Dan Santoro from their office is spearheading the effort. A tour of the Borough was conducted a couple weeks ago to provide perspective to discussions and also to look at the issues relating to Marcellus Shale drilling. 70% of the ordinance is completed and they are hoping to have a final draft in July.

Ms. Moore commented on the decline of the central part of Wilkinsburg and all the redevelopment occurring on the outskirts. Mr. Soboslay informed Council that the starting point for the zoning ordinance update was the Comprehensive Plan. Mr.

Borough of Wilkinsburg
Council Work Session
May 16, 2012

Soboslay stated that the zoning ordinance development does not include an examination of infrastructure but rather addresses land use. Mr. Soboslay stated that lot size is being reviewed in order to recommend changes which will encourage redevelopment. Ms. Grass commented that it is up to Council to determine where investment occurs. President Cohn commented that it has not been the decision of Council as to where redevelopment occurs but rather those that are bringing their investment dollars into the Borough. President Cohn commented that zoning may play slightly into addressing blight and abandonment. Ms. Grass commented that some concerns may be able to be addressed under the Sustainability component of the Phase II EIP. Ms. Macklin commented on the benefits of having an Official Map and Planned Residential Development (PRD). Mr. Soboslay commented on the benefits of PRD relative to development. Ms. Evans questioned whether Council conducts its review after the Planning Commission. She commented that she has not received minutes from those meetings. Mr. Soboslay explained that the Planning Commission approves the draft document and it is then submitted to Council and the Allegheny County Planning Department. Ms. Evans questioned whether the recommendations from Nine Mile Watershed Association and the Sustainability Assessment were considered and/or included in the zoning ordinance update. Mr. Soboslay responded that they were, from a global standpoint. Mr. Soboslay stated that the Sustainability Assessment was taken to the Planning Commission and the response was that it had not been approved by Council. Ms. Evans commented that the updates should make zoning more enticing. President Cohn echoed those comments and commented that Council had held off on implementing sustainable principles pending this process. Ms. Macklin commented that some of the recommendations would best be included under the Subdivision and Land Development Ordinance (SALDO). President Cohn commented that if the sustainable principles are not being included in the zoning ordinance update, Council should proceed with updating the SALDO and not wait for funding to do so. Ms. Grass commented that Council can see if funding is available through the Department of Community and Economic Development. A new funding allocation is to be made in July. With regard to the review of Code Enforcement Department functions, Mr. Soboslay advised that they are reviewing job descriptions, looking at streamlining the occupancy permit process, looking at the third party inspection process and how payments for those inspections are being made. Phase I of the EIP identified issues with the use of the Land Management System. He stated he is now confident that, under the leadership of the new Director, the system is being utilized to its greatest extent. Ms. Evans commented that she has heard complaints about the Borough's third party inspection service. She inquired if performance reviews are conducted. Mr. Soboslay stated that there weren't and that it is difficult to maintain consistency across different inspectors. Ms. Evans commented that there is a need to be able to track the amount of private investment occurring in the Borough.

Mr. Soboslay commented on the information technology review and stated that two draft reports have been submitted to the Borough Manager. The report includes a disaster recovery plan, capital replacement plan, review of cloud computing and data and video

**Borough of Wilkinsburg
Council Work Session
May 16, 2012**

back up. He stated that the Borough is fairly advanced in the area of information technology relative to other communities. Ms. Macklin questioned whether Delta has met with Council members on this review and Ms. Grass responded that they have been working with the Manager. When the draft reports are finalized, they will be distributed. Ms. Macklin questioned whether a report was provided on the proposal from the City of Pittsburgh for police protection services and Ms. Grass advised that it had not been provided in final form.

PUBLIC COMMENT

Patrick Marx – 1314 Center St. – Janet Burkhardt - representing Patrick Marx –

Ms. Burkhardt advised that Mr. Marx needs a retroactive occupancy permit for operation of a group home and that they have been working through this administratively. Mr. Marx spoke about his work through his group home. Ms. Macklin inquired as to what he is seeking from Council. Ms. Burkhardt stated that he had paid for an occupancy permit but had never received it. President Cohn commented that Council cannot issue an occupancy permit and has no authority to do so retroactively. Ms. Evans commented that the Solicitor should be consulted and President Cohn offered to personally send a letter of support to the IRS for Mr. Marx.

Wilbert Wright – 1315 Clark St. – Commented on a police chase and that residents are known by Wilkinsburg police officers.

Regina Barnes – Inquired about the agenda item relating to the discussion of elimination of on-street parking on Penn Ave. President Cohn stated that Chief Coleman will address that later in the meeting.

Kate Luxemburg – 432 Rebecca Ave. – Commented that approval of the CD demolition list has always been on the agenda. She stated that there was no public notice of the proposed sites. She asked whether 509 Pitt Street was on the list and was advised that it was. She also asked about 8004 Susquehanna Avenue and was advised that it was not.

Michael Horvath - Commented on the process for the Orchard Forest Garden approval. He stated that there was not a comprehensive maintenance plan. Ms. Evans provided a thorough response on the process and that there have been many more of these types of projects in the past few years. While the review process is not perfect, all did their best and improvements will be made in going forward. Ms. Macklin commented that she received a complaint that the neighborhood was not surveyed and that the public meeting should have been posted. Ms. Evans stated that 277 letters were sent to property owners within a 500' radius of the site, the public meeting was advertised and the property was posted. She also spoke to the format for the Community Art & Civic Design Commission's meeting when the project was considered and approved. She commented that applicants have a responsibility to conduct due diligence in outreach to the community. Mr. Cohn commented that concerns could have been brought up earlier when the proposal was presented to Council.

Ms. Ervin inquired as to the ownership of 800 Wood Street and that the grass is overgrown.

Chris Taft expressed opposition to eliminating parking on Penn Avenue.

PUBLIC SAFETY

1. Discussion – Parking on east side of Hay Street north of Ross Avenue.

Vice President McCarthy-Johnson introduced the request to remove meters and establish a parking zone for official Borough business. Chief Coleman made this request of the Borough Manager. Chief Coleman talked about revenue from parking meters and commented that the matter is merely up for discussion at this time. She commented on the lack of participation from the business owners at the monthly business district safety meetings. Ms. Coleman commented on an improvement to the aesthetics with the elimination of parking on Penn Ave and that in order to have an intelligent conversation on the matter, data needs to be reviewed and analyzed. She commented on the need for parking for Borough employees and patrons on Hay Street. She clarified that the locations she is recommending are from the alley at Milestone to Ross and the two spaces on Hay Street adjacent to the municipal building. Ms. Macklin commented that the parking lot is needed for employees and parking spaces are needed for those conducting business at the Borough building. She suggested looking for an additional area for employee parking. Mr. Cohn suggested looking at 800 Wood Street. Ms. Evans stated her support of the proposal to remove four metered spaces and suggested taking a more holistic approach to the issue of employee parking. Vice-President McCarthy-Johnson discussed other parking concerns with the Chief. Ms. Ervin commented that this matter should be discussed in a Committee meeting. President Cohn inquired as to what additional information is needed by Council. Ms. Macklin stated she is not in favor of eliminating spaces which could be used by the general public. She stated an analysis of parking utilized by Borough employees should be conducted and a look at other options. Ms. Evans commented that it is appropriate for Council to decide how many spaces are sufficient for the public and that staff should be able to work out a plan for employees.

2. Discussion – Eliminating on-street parking on Penn Avenue from Wood Street to Swissvale.

Vice-President McCarthy-Johnson commented that this matter is being brought up for greater public comment and feedback. Ms. Goodman commented that parking on Penn Ave may actually deter speeding. Chief Coleman did not concur. Ms. Macklin suggested that the business district be surveyed. Chief Coleman indicated that would be done. Ms. Evans commented that a survey may not provide valid information and responses. She commented that there is a lot of parking available in lots and the matter should be viewed from a broad perspective. President Cohn suggested looking at other options and to consider reducing the time limit for on-street parking at meters. Ms. McCarthy-Johnson expressed concerns regarding jitney activity, car washing on the street and how that affects aesthetics. Data is needed on revenue collected from the meters.

**Borough of Wilkinsburg
Council Work Session
May 16, 2012**

Ms. Macklin commented on potential issues when traffic merges to one lane at the underpass.

3. Petition for installation of surveillance cameras at 601 Wallace Avenue.

Chief Coleman commented that there have been a number of burglaries at this location. Directed patrols have been conducted but there are still problems so a mobile camera installation has been suggested. A petition was received from members of the church. Ms. Ervin commented that a rape had occurred in the alleyway near there. Ms. Macklin stated her support of a mobile camera installation. President Cohn inquired if the camera would be of the same make and model as the others which are installed and how it would be paid for. Ms. McCarthy-Johnson expressed concern that the location was listed on the agenda. Ms. Trice suggested looking at increased lighting in the area at Pitt Street and behind the post office. Ms. Evans commented that the ordinance requires that the location of the cameras be posted.

4. Microphones for triangulating the source of gunshots.

Chief Coleman explained that this technology is very expensive and described the technology known as Shot Spotter. The cost for one installation is approximately \$200,000. President Cohn questioned whether grant money may be available and suggested contacting CeaseFire PA to see if they could assist with seeking grant monies for this project. Chief Coleman had no objection to President Cohn contacting CeaseFire. Ms. Macklin questioned whether that would be helpful and Chief Coleman responded that it would.

CAPITAL PLANNING

1. Discussion – 2012 Street Paving Project

Resolution 12-046 – Award 2012 Street Paving Project to Victor Paving in the amount of \$845,064.86.

Moved: Ms. Goodman

Second by: Mr. Lefebvre

All voted in favor of the motion. Motion carried

Resolution 12-047 - Authorize a contract to Suit Kote for micropaving through their contract with Allegheny County.

Moved: Ms. Goodman

Second by: Ms. Evans

All voted in favor of the motion. Motion carried

**Borough of Wilkinsburg
Council Work Session
May 16, 2012**

1. Bike rack purchase for Municipal Building.

President Cohn commented that the Three Rivers design had been selected and there is \$2,500 budgeted for this installation. The Wilkinsburg Community Development Corporation will match this amount. The cost for each rack is approximately \$500 and it has been suggested that one or two be placed at the Eastridge Library branch, two at the municipal building and the rest at various locations in the business district.

Ms. Evans distributed a short list of potential projects to be funded through bond proceeds. She asked that Council review the document and forward questions or comments to her or the Borough Manager. Council will need to decide which projects are to be funded. This matter will be discussed at the next Capital Planning work session.

Ms. Evans read aloud the Engineer's recommendations for CD 39 applications. Ms. Evans inquired as to the scope of the project for the Ardmore Blvd concrete wall repair. Ms. Macklin talked about the process the Capital Planning Committee followed in 2011 to develop a capital plan and that some of those projects did not appear on the list distributed by Ms. Evans. She commented that she believes she is entitled to attend any meeting with the Borough Engineer and will be sending a letter to the Solicitor. President Cohn questioned whether she believes it is illegal to not be included in a meeting with the Engineer. Ms. Evans commented that she does not like the process either and that a comprehensive list had previously been provided to full Council. President Cohn commented that the Borough Engineer should be present for the discussion with full Council and that there has never been a Council committee structure that functioned well. He questioned whether Council was prepared to take action on approving the pre-applications for the CD39 projects. Ms. Evans doesn't believe the County will fund the Ardmore Blvd wall repair and also stated that the County does not like to fund spot demolition. Ms. Evans suggested a special meeting of Council. Ms. Macklin suggested designating two to three Council members to meet with the Borough Manager and Borough Engineer. President Cohn agreed and stated that if the subcommittee cannot reach agreement, the recommendations of the Engineer stand. He assigned Ms. Evans, Ms. Macklin, Ms. Goodman and himself.

President Cohn asked if there were specific issues/questions for Director Gramz. Ms. Goodman questioned whether only permit fees are to be changed with the proposed fee schedule with the answer being yes.

Ms. Macklin questioned the need for new computer notebooks. Mr. Gramz described the system and commented that their use will greatly increase efficiency and productivity. President Cohn commented that the notebooks which were replaced were purchased with a grant from State Representative Joseph Preston's office.

GENERAL MATTERS

1. Discussion – Status of Gym of Future Champs property.

President Cohn inquired as to how Council wished to proceed. Ms. Macklin commented on the letters sent a couple of years ago to all non-profit organizations in the Borough and suggested follow-up on those which were returned as undeliverable. President Cohn suggested sending a letter to the Gym of Future Champs to obtain a report on their activities to determine if they are in compliance with 501 (c) (3) requirements. Ms. Trice suggested they submit proof of their 501 (c) (3) status.

2. Resolution No. 12-045 – Appointment of Dee Briggs to Planning Commission to fill the unexpired term of Nicole Rose to continue through December 31, 2012.

President Cohn commented this was brought to Council's attention by the Planning Commission.

Moved: Ms. Macklin

Second: Ms. Goodman

All voted in favor of the motion. Motion carried

3. Discussion – Banner time limit waiver – Farmer's Market.

President Cohn advised Council that the request is to post the banner from June 12, 2012 through November 12, 2012.

Ms. Evans stated she is not in favor of a banner being up for six months out of the year and that banners should not be permanent advertising. She stated that the WCDC had offered to purchase pole banners for the Farmer's Market. Ms. Macklin questioned whether the Chamber of Commerce is aware of this option. Mr. John Irwin responded that they were. Ms. Macklin questioned what is thought to be more effective and Mr. Irwin commented that the pole banners would be more versatile.

A motion was made by Ms. Macklin, second by Ms. Goodman, to approve the banner placement for a period of three weeks.

All voted in favor of the motion. Motion carried

4. Approving Wilkinsburg Public Library Annual Book Sale Banner.

Moved: Ms. Evans

Second: Ms. Trice

All voted in favor of the motion. Motion carried.

5. Authorizing the advertisement of Ordinance No. 2893 – Establishing Handicap Parking space 616 Hampton Ave.

Moved: Ms. Evans

Second: Ms. McCarthy-Johnson

All voted in favor of the motion. Motion carried

6. Approving Resolution No. 12-043 – Waiving permit fees for Wilkinsburg Affordable Housing Coalition Project and organizations with 501 (c) (3) status with amount not to exceed \$5,000 per year.

President Cohn advised Council that the policy was drafted by the Borough Solicitor. Ms. Macklin commented that she had suggested that the amount of the fees to be waived be capped. Ms. Goodman looked at the fee schedule and it does not appear that the permit fees would be a significant amount. President Cohn commented that a local share such as this will be viewed favorably and may assist in raising more funds for the projects. In response to Ms. Ervin's question, the fee waiver only applies to organizations that meet the eligibility criteria in the resolution. The resolution will include a cap of \$5,000 per organization.

Moved: Ms. Goodman

Second: Ms. Macklin

Yes: Ms. Macklin, Ms. McCarthy-Johnson, Ms. Goodman, Ms. Moore, Ms. Trice, Mr. Lefebvre, Ms. Evans, President Cohn

No: Ms. Ervin

Motion carried 8:1

7. Approving Resolution No. 12-044 – Hiring Renee Brown as School Crossing Guard.

Moved: Ms. McCarthy-Johnson

Second: Ms. Goodman

All voted in favor of the motion. Motion carried.

8. Approving street closure request for Kid's Night – Foliage Street.

Ms. McCarthy-Johnson expressed concern regarding these types of events and closing streets when parks are available. Ms. Macklin believes Council should encourage neighbors getting together and that this is what builds community. Ms. Evans commented that there had previously been a policy not to approve street closures. She concurred with Ms. McCarthy-Johnson's concerns and believes the approval process is subjective. Chief Coleman approves the closure if some type of public safety function is

**Borough of Wilkinsburg
Council Work Session
May 16, 2012**

involved. Ms. Goodman commented about her good experience in Boston with neighborhood gatherings and suggested establishing a policy for street closures. President Cohn concurred and stated that, based on the policy, a request not in compliance could be denied administratively.

Moved: Ms. Macklin

Second: Mr. Lefebvre

All voted in favor of the motion. Motion carried.

ADJOURNMENT

Being no further business, on motion by Ms. McCarthy-Johnson, second by Ms. Trice, the meeting was adjourned at approximately 10:15 PM.

Jason Cohn, Council President